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Report of the Secretary-General on Somalia pursuant to Security Council resolution 1872 (2009)

I. Introduction

1. The present report is submitted pursuant to paragraph 13 of Security Council resolution 1872 (2009), in which the Council requested me to take the steps identified in paragraphs 82 to 86 of my report of 16 April 2009 (S/2009/210), and to report on progress made by 30 September 2009. It provides an update on major developments in Somalia, as well as an assessment of the security and political situation, and the implementation of the steps set out in paragraphs 82 to 86 of my report of 16 April 2009.

II. Main developments in Somalia

A. Political developments

2. The Transitional Federal Government of Somalia continued efforts to consolidate its authority, particularly with respect to the security sector. On 23 July, the Government created a commission for security and pacification of the country, tasked with reforming the security forces of Somalia and all law enforcement agencies. On the same day, it announced the appointment of Abdullahi Mohamed Alim as Minister of National Security, to replace the assassinated Omar Hashi Adan.

3. On 19 August, President Sheikh Sharif Ahmed announced a reshuffle of his cabinet, as part of an internal reorganization aimed at improving the coherence and overall ability of the Transitional Federal Government to deliver services. He assigned the key Ministries of Foreign Affairs and Defence to officials who had served under the previous administration, in an attempt to add experience and technical expertise to the cabinet. The United Nations and other members of the international community have continued to assist the Government with capacity-building initiatives.

4. The Transitional Federal Parliament continued to meet in Mogadishu. Since the expulsion of seven parliamentarians in July, and further warnings by the Speaker of Parliament that he would take disciplinary action against those who fail to attend its sessions, most parliamentarians residing outside Somalia have returned to the country. In an address on 27 July, President Sharif urged parliamentarians to remain united and focused on defending the country against foreign aggression and

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terrorism. He reiterated the Government commitment to fully implement the Djibouti Agreement in order to find lasting peace in Somalia. On 19 August, the Parliament endorsed the President's decision of 22 June to declare a three-month state of emergency.

5. Armed opposition groups continued to resist the calls of the Transitional Federal Government to join an inclusive administration. The cooperation agreement signed between the Government and Ahlu Sunna Wal Jama'a (ASWJ) on 21 June 2009 constitutes an encouraging departure from that trend. Under this agreement, the Government provides military and logistical support to ASWJ and consults the group on administrative issues in areas under its control. The Government has continued to reach out to other armed elements, and those who have accepted to join have been awarded cabinet posts. However, Al-Shabaab and Hizbul Islam, the two main extremist groups that include foreign combatants and are supported by Al-Qaeda, remain outside the peace process.

6. On 22 August, rejecting the ceasefire call by President Sharif, elements of Hizbul Islam in the Gedo region announced that they had joined forces with Al-Shabaab, allegedly in response to the cooperation between the Transitional Federal Government and its allies in the region. This move may also indicate some desperation among extremist groups seeking to buttress their forces as those of the Government grow stronger and more confident.

7. In addition to the threat posed by the insurgents, Somalia is plagued by the activities of unscrupulous domestic and external spoilers, who, taking advantage of the prevailing lawlessness, have taken control of seaports and airstrips, from where they supply East Africa with a variety of contraband. They also illegally export commodities such as charcoal and livestock and engage in human and drug trafficking. In this connection, the port of Kismayo remains the main entry point for weapons and logistics to the insurgents.

8. At the request of the Prime Minister of Somalia, the United Nations is working closely with the Somali authorities to revitalize and refocus the High Level Committee, especially in respect of policy coordination and the implementation of the Djibouti Agreement. The Committee, currently chaired by the United Nations, deals with issues such as the drafting of a new constitution, justice and reconciliation, the management of the humanitarian crisis, and the mobilization of popular support to the Djibouti Agreement. It is envisaged that the Committee will expand its membership in September to include the African Union Mission in Somalia (AMISOM), the United Nations country team and international community representatives.

9. Regional organizations continued to support the Somalia peace process. The African Union troop-contributing countries held a consultative meeting with international partners in Addis Ababa, on 20 July. Participants called on partners to speed the disbursement of the pledges made at the Brussels Conference, and welcomed ongoing coordination of support to the Somali security institutions. They also underscored the call contained in the Intergovernmental Authority on Development (IGAD) communiqué of 20 May 2009, endorsed by the African Union Peace and Security Council meeting and by the thirteenth ordinary session of the African Union Assembly, for the United Nations Security Council to take immediate measures, including the imposition of sanctions on all spoilers. Furthermore, the action plan adopted by the special session of the African Union in Tripoli on

31 August encouraged the Transitional Federal Government to intensify its efforts to promote reconciliation and an all-inclusive political process, and called on all Somali parties to join the peace process.

10. On 6 August, President Sharif met with United States Secretary of State Hillary Clinton, in Nairobi. Secretary of State Clinton reaffirmed the United States commitment to support the Transitional Federal Government. She issued a stern warning that the United States would take action against Eritrea if it did not cease supporting Al-Shabaab insurgents in Somalia, stating that such support amounts to interference in the internal affairs of Somalia. In a meeting with President Sharif, the President of Kenya, Mwai Kibaki, reaffirmed Kenya's continued support for Somalia and called on President Sharif to maintain the open-door policy for opposition elements willing to join the peace process.

11. Donors continued to disburse pledges made at the April 2009 conference in Brussels, where a total of over $213 million was pledged. As at 3 September, $196.6 million has been confirmed. Of these, the United Nations Trust Funds for the Somali security institutions has received approximately $830,000 and the Trust Fund for AMISOM has received $24.6 million. Some $1.5 million have been disbursed directly by donors to the Transitional Federal Government, while the African Union has received about $6.7 million. The African Union and the European Commission (EC) are developing a contribution agreement to enable disbursement of the EC pledge of 60 million euros.

12. As part of an effort to engage the autonomous regions of Somalia, Prime Minister Omar Abdirashid Ali Sharmarke held talks with senior officials of the "Puntland" Administration in Galkayo on 17 August. The parties agreed to set up joint committees to enhance future cooperation. Under the agreement signed on 23 August, "Puntland" will host the Federal Constitutional Commission, the principal body preparing the draft constitution, as well as a base for counter-piracy operations. In addition, "Puntland" may participate in international conferences on Somalia alongside Transitional Federal Government officials and conclude agreements with international agencies and foreign companies, pending the approval of a federal constitution by public referendum.

13. In "Somaliland", tensions continued over the conduct of the elections previously scheduled for 27 September 2009. Opposition parties, civil society and the legislature rejected the decision made by the National Electoral Commission, with the support of the executive branch, to hold elections without a voters' roll. On 11 August, "Somaliland" Parliament passed a motion calling on the Commission and the executive branch to rescind their decision. On 21 August, the Ethiopian Minister of State for Foreign Affairs met with the "Somaliland" President, opposition parties, civil society groups and elders urging them to reach an agreement. On 25 August, the "Somaliland" Minister for Foreign Affairs requested Ethiopia to act as mediator. However, with no breakthrough imminent, on 30 August, the Parliament established a committee composed of representatives of the three main political parties to undertake mediation efforts and report back. In parallel, mediation efforts by regional and international actors are ongoing to bring the parties to agreement.

B. Security situation

14. Insecurity remains the most critical challenge facing Somalia today. Following their unsuccessful assaults against the Transitional Federal Government in May and June, insurgents led by Al-Shabaab and Hizbul Islam reinforced their ranks with militia from outside Mogadishu and foreign fighters. In the second week of July, these groups launched a full-scale attack on key strategic positions, aimed at dislodging the Transitional Federal Government. Fighting raged for several days, culminating in fierce battles on 12 July. Insurgents came within 300 metres of the presidential palace (Villa Somalia), and attempted to take over key locations, including the old seaport, which would have allowed them to control access to Mogadishu port. Government forces, supported by AMISOM, forced the insurgents to retreat.

15. The defeat in Mogadishu has been a serious setback for the insurgency, apparently undermining its cohesiveness and command authority. Meanwhile, AMISOM demonstrated its ability to protect government installations and strategic positions against sustained attack, repelling the attackers with little resistance. However, neither Transitional Federal Government forces nor insurgents in Mogadishu have been able to consolidate control over contested territory. In early September, disparate militia still controlled most neighbourhoods in Mogadishu and the adjoining Banadir district, and fighting was reported almost daily, causing an estimated 20 to 50 fatalities per week. While most victims are reportedly combatants, many civilians continue to be killed in cross-fire and in long-range artillery and mortar attacks. On 16 August and 11 September, supply vessels contracted by the United Nations Support Office for AMISOM (UNSOA) carrying goods for AMISOM were attacked by insurgent mortars while in Mogadishu port, resulting in the death of 5 and 17 civilians, respectively. Another vessel contracted by UNSOA was attacked by pirates on 27 August near Mogadishu, but evaded capture.

16. The Transitional Federal Government and AMISOM troops are continuously targeted, including through ambushes and coordinated attacks against strategic locations. They remain extremely vulnerable to asymmetric attacks, as demonstrated by the attack against AMISOM on 17 September, when two vehicles carrying explosives drove into the AMISOM-controlled area at the Mogadishu airport and were detonated at the AMISOM Force headquarters and a building used by a contracted supply company. The vehicles used in the attack were identified as United Nations vehicles that were stolen by Al-Shabaab during raids at United Nations compounds earlier in 2009. According to the estimates provided by AMISOM on 18 September, at least 21 people have been confirmed killed, comprising 17 AMISOM soldiers — 12 Burundians, including the AMISOM Deputy Force Commander, and 5 Ugandans. At least 40 people were injured in the attack, including several Government officials and contractors. Following this attack, I issued a statement in which I condemned the attack and pledged support to the African Union and AMISOM in their ongoing efforts to ensure peace and security in Somalia.

17. Beyond Mogadishu, the security situation deteriorated markedly in the reporting period, with Government and allied militia challenging insurgent forces for control over strategically important towns in southern and central Somalia. In August, Al-Shabaab and Hizbul Islam forces were temporarily driven from the

towns of Beledweyne and Bulobaarde (Hiraan region) and some insurgent strongholds in the Gedo region. However, insurgents were later able to retake many of these locations. In late August, Ethiopian forces reportedly crossed the border into Hiraan region and briefly entered Beledweyne to dislodge the insurgents. Overall, the security situation in southern and central Somalia has become more volatile and hostilities are likely to continue at the present level.

18. This is increasingly affecting humanitarian operations in southern and central Somalia. Apparent supply shortages among insurgents have led to a rise in criminal activities. The risk of hostage-taking for international staff has also significantly increased. However, four aid workers and two pilots held hostage since November 2008 were released on 11 August. Thirteen aid workers remain in captivity in Somalia and a further nine have been killed since January 2009. On 20 July, Al-Shabaab militia looted United Nations compounds in Baidoa and Wajid, and stole security equipment and seven United Nations vehicles. The raids were conducted in the presence of insurgent commanders who had previously provided security assurances to humanitarian operations. In late August, several NGO compounds in the Lower and Middle Juba regions were raided by Al-Shabaab, and seven NGOs were reportedly expelled from the area. On 16 August, Al-Shabaab militia again attacked the World Food Programme (WFP) compound in Wajid, triggering a firefight in which three insurgents were killed. The motive is believed to have been to kidnap international staff for ransom. As security assurances provided by insurgent leadership in southern and central Somalia have become increasingly unreliable, United Nations international staff had to be relocated from duty stations in southern and central Somalia, and security arrangements are being reviewed. Critical humanitarian operations continue with national staff and NGO partners.

C. Humanitarian situation

19. The humanitarian situation in Somalia worsened dramatically in the reporting period owing to intensified fighting in Mogadishu, growing insecurity in much of southern and central Somalia and deepening drought. Since May, fighting in Mogadishu has displaced more than 255,000 people, some of whom had recently returned home following a period of relative stability in early 2009. In total, 1.5 million Somalis have been displaced since early 2007.

20. In August 2009, the latest United Nations food security assessment calculated that some 3.7 million people, or 50 per cent of the population of Somalia, are in need of livelihood and humanitarian support, up from 3.2 million in January 2009. Most of these are concentrated in areas controlled by armed groups in southern and central Somalia. Drought is deepening in the central regions and has extended to the northern parts of the country. Increasing food insecurity is exacerbated by disease and poor access to health services. One in five Somali children is acutely malnourished, compared to one in six in February. On a positive note, parts of southern Somalia recorded a nearly normal crop production owing to good rains from April to June 2009.

21. The systematic looting of aid workers' compounds has made it increasingly risky and difficult for humanitarian operators to fulfil their mandate, particularly in the southern and central regions of Somalia. In July, the United Nations was forced to postpone the dispatch of supplies to treat and prevent acute malnutrition of more

than 85,000 children in southern and central Somalia owing to security concerns. The distribution of malaria prevention bed-nets was also disrupted. However, the Hiraan and Galgaduud regions remain open for humanitarian operations.

22. In June, Somalia's requirements under the consolidated appeals process were revised downward from $984 million to $849 million. This reflects revised priorities and feasible targets within the remaining appeal period. As of early September, the revised consolidated appeals process was only 53 per cent funded. WFP urgently requires $217 million to cover the shortfalls of 216,000 metric tons of food from September 2009 through March 2010. WFP is running out of food to feed its 3.3 million planned beneficiaries with the limited shortfalls beginning in September. Water, sanitation and health activities also remain seriously under-funded at 19 per cent.

D. Human rights situation

23. The human rights situation in southern and central Somalia remains largely unchanged since my last report. Fighting in Mogadishu, in particular shelling and use of improvised explosive devices, including in civilian neighbourhoods, has resulted in a high number of civilian casualties. Civilians in conflict-affected areas are also vulnerable to physical assault, gender-based violence, and illegal arrests and detentions. Reports continued about the illegal recruitment by armed groups of children under 18.

24. In addition to the security threats, there were continued reports of executions, amputations and other abuses by extremist groups in the name of sharia law. In areas controlled by Al-Shabaab, women risk punishment, including detention, for refusing to wear appropriate clothing. Radio stations and other news media also continue to face threats and intimidation. While there were no new reports of journalists killed, there remains no accountability for the killing of six journalists in the first half of 2009. Impunity for human rights abuses prevails throughout the country. Meanwhile, insecurity continued to hamper the reconstruction of the justice and corrections sector. There is a deepening risk of a human rights crisis in Somalia's prisons, which lack basic medical facilities, water and sanitation, and trained staff.

25. In a welcome development, the Transitional Federal Government designated the Minister of Women's Development as its focal point for human rights. The creation of a high-level focal point facilitated further capacity-building activities, which are covered in the following section. In a meeting with United Nations officials in July, "Puntland" authorities also made commitments to greater respect for human rights, and requested United Nations support. The newly adopted constitution provides for the creation of a Human Rights Ombudsman, although the post has not yet been established.

26. In "Somaliland", the annulment of the voters list had a negative impact on the human rights situation, especially on freedom of expression and the right to peaceful assembly. In late August, "Somaliland" police reportedly used excessive force against demonstrations in several towns, including Hargeisa. Of several demonstrators arrested, including women and minors, some reportedly remain detained without warrant. One member of the Transitional Federal Parliament, originally from Berbera, was reportedly arrested on charges of high treason, and released only after he dissociated himself from the Transitional Federal

Government. Meanwhile, an independent television and radio station were closed down for having reported on inter-clan fighting relating to a land dispute, allegedly involving "Somaliland" authorities. The three journalists involved were detained for several weeks without a warrant. They were released after paying a fine, but were prohibited from practising their profession for six months. "Somaliland" authorities expressed willingness to follow up on these allegations.

III. Implementation of resolution 1872 (2009) and paragraphs 82 to 86 of the report of the Secretary-General on Somalia pursuant to Security Council resolution 1863 (2009) (S/2009/210)

A. Update on implementation of the incremental approach

27. In its resolution 1872 (2009), the Council requested me to take the steps identified in paragraphs 82 to 86 of my 16 April report (S/2009/210), which comprised a three-phase incremental approach whereby the United Nations would pursue its strategic objectives on the political, security, and recovery tracks, while continuing to work towards the deployment of a peacekeeping operation at the appropriate time. The following provides an assessment of progress achieved under the current phase, together with recommendations on next steps.

28. Under the first phase of the incremental approach, the United Nations has pursued its mandated activities through its teams and offices based outside Somalia, as well as partners based in the country, and more frequent missions by international United Nations staff, including senior staff from the United Nations Political Office in Somalia (UNPOS), UNSOA, the Department of Safety and Security and United Nations funds, agencies and programmes to Mogadishu, Hargeisa and other accessible areas. Despite adverse security conditions, it has been possible to establish a cycle of missions to Mogadishu to carry out specific tasks and facilitate interaction with the Transitional Federal Government, AMISOM and other partners. After major fighting subsided in July, international United Nations staff, including senior United Nations officials, resumed missions into Mogadishu at the rate of two per week on average in July and August. Meanwhile, critical humanitarian and other United Nations programmes continued in most regions of Somalia, with a total of around 700 to 800 national and 60 to 80 international United Nations staff deployed throughout the country, including "Puntland" and "Somaliland". The activities undertaken in this phase are described in paragraphs 32 to 73 of this report.

29. Planning is ongoing for the implementation of the second phase of the incremental approach, which calls for the deployment of a "light footprint" United Nations presence in Mogadishu. In line with the recommendations in my previous report, this will be implemented gradually and the United Nations presence may be expanded or reduced, depending on the security situation. To date, limited numbers of international staff members, including international United Nations staff, have been permitted to overnight in the AMISOM-controlled airport area for short periods. This has enabled UNPOS and UNSOA staff to engage more closely with the Transitional Federal Government and AMISOM counterparts, monitor implementation of the activities mandated in resolutions 1863 (2009) and 1872 (2009). However, missions to Mogadishu by international United Nations staff

remain extremely dangerous. In the light of the attack on AMISOM Headquarters on 17 September, security arrangements for United Nations missions to Mogadishu are being reviewed. In order to enable the expansion of critical WFP and United Nations Children's Fund (UNICEF) programmes, national staff numbers in Mogadishu were increased from 14 to 18.

30. The security risk assessment for Mogadishu was updated in August, reconfirming security phase V (evacuation). The Department of Safety and Security also initiated a review of current security phase IV (emergency programmes) in other parts of southern and central Somalia in the light of deteriorating security conditions. Under existing United Nations security policies, permanent regular assignment of United Nations international staff to Mogadishu requires downgrading the security phase from level V to level IV, which in turn depends on a significant improvement in the security conditions. Given these conditions, the second phase of the incremental approach in Mogadishu will initially be implemented through the deployment of international staff on mission status for limited periods, based on programme priorities. The construction of secure accommodation, offices and medical facilities, although a critical prerequisite for the implementation of the second phase, will be implemented dependent on security conditions on the ground.

31. At the same time, it is critical for UNPOS to be adequately represented in all parts of Somalia, as the security situation allows. Plans have been developed to open regional offices initially for political affairs, human rights, civil affairs and other operations throughout the country, including in "Puntland" and "Somaliland", security conditions permitting.

B. Strengthening the political process

32. In line with the request of the Council in paragraph 2 of resolution 1872 (2009), my Special Representative continued his work with the international community to facilitate reconciliation in Somalia and consolidate the peace process. Under his leadership, UNPOS, together with the relevant United Nations agencies, funds and programmes, continued to work towards the key objectives on the political track set out in paragraph 42 (a) in my report of 16 April 2009, including building governance capacity and mainstreaming human rights in all aspects of the peace process.

Good offices and reconciliation

33. On 20 July, my Special Representative participated in the consultative meeting of the African Union troop-contributing countries and international partners (see para. 9). The meeting noted the need for coherence in Government operations and to mobilize public support fully behind the Djibouti peace process, noting that lack of coherence within the Government resulted in the absence of clear leadership for the security forces.

34. In support of the efforts of the Transitional Federal Government to form an inclusive administration, my Special Representative received a delegation from the Ahlu Sunna w'al Jamaa (ASWJ) group on 22 July. They exchanged views on how the United Nations could help strengthen the cooperation agreement signed between ASWJ and the Transitional Federal Government, and agreed to organize a capacity-

building workshop to help ASWJ strengthen security and judicial institutions in its areas of control.

35. Following the meeting between United States Secretary of State Hillary Clinton and President Sharif, my Special Representative hosted a wrap-up session on 9 August with the United States delegation, a Somali delegation consisting of Members of Parliament, women representatives and elders, and an African Union representative. The Somali delegation stressed the importance of the meeting of President Sharif with the United States Secretary of State, which had been warmly welcomed among Somalis inside the country and in the diaspora. The delegation also highlighted the need to support the Transitional Federal Government, especially its security sector.

36. As part of his efforts to engage the autonomous regions, my Special Representative, on 10 August, briefed "Puntland" President Abdirahman Mohamed Mohamud Farole on the visit of the United States Secretary of State and discussed the need to maintain regular contact between the representatives of the Transitional Federal Government and "Puntland".

37. My Deputy Special Representative visited Hargeisa from 1 to 3 September 2009. He met with senior government officials, including President Riyale, representatives of the opposition and civil society actors. All interlocutors acknowledged that "Somaliland" was currently facing an acute elections crisis, but reiterated the capacity of the community to solve such problems without outside interference, expressing optimism that a solution would soon be found. The authorities, political parties and civil society welcomed the UNPOS plan to expand its presence in Hargeisa and to strengthen the political work of the United Nations in the region, to complement existing humanitarian and development activities. UNPOS and the "Somaliland" regional government agreed to establish a constructive partnership covering political and civil affairs, human rights and the security sector.

Governance and capacity-building

38. In support of the constitution-drafting process, the United Nations and a consortium of partners provided advice to the Transitional Federal Government on good practices derived from lessons learned from Somalia's constitutional history and political context. The United Nations subsequently designed and coordinated a senior managers' induction course for the newly formed Ministry of Constitution and Federal Affairs in Nairobi. The United Nations also facilitated efforts to update the law clarifying roles and responsibilities of key constitutional organs, with emphasis on the Independent Federal Constitution Commission. In July and August, the United Nations facilitated the visit of 13 Directors-General from "Somaliland" to the United Republic of Tanzania, Uganda and Rwanda, to show regional best practices in public administration reform.

39. Capacity-building remains a key priority in moving the Djibouti peace process forward. To that end, UNPOS and UNDP are refocusing existing programmes to target the priority ministries identified by the Prime Minister: Ministries of the Interior, Defence, National Security, Planning, Reconstruction, Finance and Information. A programme is being finalized to train key staff and deploy technical advisers, mostly sourced from the Somali diaspora through the Qualified Expatriate Somali Technical Support project.

Human rights

40. In support of efforts to integrate human rights into all aspects of the peace process, UNPOS submitted to the Transitional Federal Government of Somalia a draft framework for technical cooperation and assistance in human rights. This framework, pending final endorsement, includes plans for strengthening human rights capacity in the Transitional Federal Government of Somalia and legislature, police, corrections and judiciary; reporting, monitoring and advocacy; and human rights education. It also covers support to address impunity, justice and reconciliation. Plans are under way to strengthen engagement on similar activities with the authorities in "Somaliland" and "Puntland".

41. On 17 and 18 August, UNPOS, in partnership with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Swiss Government convened the second conference on the theme "Addressing impunity: towards justice and reconciliation", under article 9 of the Djibouti Agreement. The conference, which brought together representatives of the Transitional Federal Government of Somalia, members of the Transitional Federal Parliament and representatives of civil society, underlined the need for a strong government to establish institutions to address ongoing and past impunity and the need to raise awareness of basic human rights in Somalia. Participants agreed to hold a follow-on conference to develop proposals for addressing past atrocities, taking into account security and protection issues.

C. Supporting the full deployment and strengthening of AMISOM

42. In August, AMISOM completed deployment of its sixth battalion, comprising 850 troops from Burundi. As of 10 September 2009, troop strength stood at some 5,217, or 65 per cent of the mandated strength, composed of three battalions each from Uganda and Burundi. In the reporting period, the African Union received pledges of an additional battalion each from Uganda and Burundi, as well as a pledge of 400 special forces from Djibouti. Major donors indicated willingness to provide logistical support, equipment and salary support to enable deployment. The African Union has also received offers from Ghana, Mali, Nigeria and South Africa to contribute staff officers to the AMISOM Force headquarters. I welcome all these contributions and encourage those concerned to promptly fulfil their pledges. The African Union action plan of 31 August requested Member States that have pledged troops to make them available as soon as possible, and for other Member States to provide all the necessary support.

43. The African Union continued to make progress on identifying qualified police officers for its mandated police component of 270 officers, and is currently engaged in pre-deployment training in Nairobi. At present, a total of 615 police trainers, advisers and mentors from Ghana, Nigeria, Sierra Leone and Uganda have been provisionally selected and placed on standby. However, deployment has been delayed owing to the security situation in Mogadishu. The AMISOM Police Commissioner relocated to Mogadishu on 6 September 2009 and is working with UNSOA on the logistical arrangements to cover the phased deployment of AMISOM police.

44. In line with their mandate under Security Council resolution 1744 (2007), AMISOM forces are providing security to strategic locations in Mogadishu,

facilitating secure movement of the Transitional Federal Government of Somalia and others associated with the peace process, including all United Nations delegations; escorting shipping into the port, enabling delivery of UNSOA material and services as well as basic medical support and fresh water to the local community; and providing sustainment to the Somali National Security Force in cooperation with the Transitional Federal Government of Somalia. In addition, the African Union action plan requested the African Union Peace and Security Council to review the mandate of AMISOM, its authorized strength and logistical support to enable it to increase assistance to the Transitional Federal Government of Somalia and facilitate the extension of its authority.

45. AMISOM forces are currently deployed at the air and sea ports, Villa Somalia, the old university and military academy, and other strategic sites in Mogadishu. The African Union is also exploring the scope to extend AMISOM presence beyond Mogadishu to key high value areas, which are currently being identified. The Department of Peacekeeping Operations is assisting the African Union to develop contingency planning in this regard, as requested.

46. Following General Assembly approval of a $139 million budget for support to the African Union and AMISOM in June 2009, the Department of Field Support, through UNSOA, initiated the delivery of the support package to AMISOM. Significant activities in the reporting period included establishing a secure strategic communications network linking AMISOM Force headquarters in Mogadishu, with AMISOM Mission headquarters in Nairobi, and providing the full services available within the global network of the United Nations Secretariat. In addition to improved communications, this has improved mission security by replacing the previous reliance on commercial Internet and cell phones.

47. AMISOM personnel deployed in Mogadishu are now consuming United Nations-provided fresh rations, in accordance with the standards for United Nations peacekeeping missions. Improving the living conditions of AMISOM personnel remains a high priority. In the short-term, UNSOA has deployed United Nations-owned equipment to create a centralized refrigeration, food handling and distribution centre for all contingents. UNSOA also delivered 73,000 combat rations packs and vitamin medication for all AMISOM military personnel to supplement locally procured fresh rations. Plans to construct new catering and sanitation facilities are well advanced.

48. In the reporting period, an unidentified illness affected more than 200 AMISOM troops, leading to seven fatalities, and requiring evacuation of 93 others to their home countries or the level-III hospital in Nairobi. In response, UNSOA sponsored investigations by a senior medical team from Burundi, specialists from Uganda, the United States Centre for Disease Control, and the World Health Organization, which collected blood samples from the various camp locations for testing. While the cause of the illness continues to be investigated, UNSOA prioritized efforts to improve hygiene conditions and food preparation facilities.

49. In August, UNSOA delivered key strategic equipment valued at $4 million to AMISOM in Mogadishu. The shipment included strategic communications units, armoured vehicles, prefabricated buildings, material handling equipment, palletized load system trucks, the first of two airport fire and rescue trucks, a workshop unit and spare parts. UNSOA also completed deployment of radio broadcast equipment

for Mogadishu and Nairobi, establishing the technical architecture for radio transmission, which will help implement the AMISOM strategic communications plan.

50. Sixty Ugandan troops received UNSOA training in communication, medical response, movement control, property management and engineering, and were deployed to Mogadishu, together with a similarly trained Burundian contingent, as part of a new Force Enabling Unit. Other AMISOM personnel received specialized training in firefighting, use of equipment, United Nations rations management, communications and logistic coordination. Further training requirements are being developed in coordination with AMISOM.

51. The memorandum of understanding between the African Union and the United Nations, defining the overarching responsibilities and obligations of the two parties in support of AMISOM, was signed on 12 July 2009. Specific implementation agreements are being developed. Arrangements were also made to establish the UNSOA headquarters facility within the United Nations Office at Nairobi compound, and to use the existing United Nations support base at Entebbe, as a staging area for rapid deployment to AMISOM and to host training for AMISOM troops. Following the positive response by the Government of Kenya regarding the establishment of a United Nations logistic support base in Mombasa, planning for the construction of the forward support base is continuing. In the interim period, UNSOA has established a temporary base in leased commercial premises, which was essential to ensure timely launch of the AMISOM support package.

52. In line with plans to transition from the existing interim arrangements to long-term United Nations contracts, the Department of Field Support secured a contract for delivery of rations, which is now operational. Fuel and medical evacuation contracts are under procurement while those for construction of prefabricated accommodation will be signed soon. A commercial proposal for construction of the level II hospital and force headquarters is being analysed. UNSOA has established an inclusive support operations centre, including liaison officers from the African Union, AMISOM, troop-contributing countries and bilateral donors, which will guide the transition from bilateral support to delivery of the full United Nations logistics support package. This will avoid any gaps or duplication in the support provided to AMISOM. The implementation of the package will be dependent on security conditions on the ground.

53. UNSOA responded rapidly to the aftermath of the 17 September attacks. Prompt arrangements for flights, ambulances and hospitalizations led to the evacuation of the critically injured to higher-level medical facilities in Nairobi and Entebbe within less than eight hours of the attacks and prior to nightfall the same day. The seriously injured and deceased were transported promptly the next morning to Nairobi and their respective home countries.

54. In line with resolution 1872 (2009), the United Nations planning team in Addis Ababa continued to provide planning and operational support to the African Union headquarters in respect of the deployment and operations of AMISOM. The planning team assisted the African Union strategic planning and management unit in preparing for the deployment of additional battalions from Uganda and Burundi and in liaising with African Union troop-contributing countries to facilitate additional contributions. The team also supported the pre-deployment selection of AMISOM police personnel; reviewed the police concept of operations and deployment plans;

and worked with stakeholders to establish responsibilities, targets and timelines for police development.

55. The United Nations Mine Action Service (UNMAS) continued to build AMISOM capacity in explosive ordnance disposal, which is a priority requirement to ensure force security and take forward the mandate. Uganda identified 18 military personnel to receive six weeks of training from UNMAS, in order to form an autonomous explosive ordnance disposal component within AMISOM. Burundi is expected to identify personnel for similar training. Necessary equipment, temporary training locations and explosive storage facilities have been established in Mogadishu, while a permanent explosive ordnance disposal command and training facility is planned for completion by February 2010.

D. Strengthening of the Somali security institutions and development of a national security strategy

56. The United Nations continues to assist the Transitional Federal Government of Somalia in developing the transitional security institutions, while also working towards the national security strategy called for in resolution 1872 (2009). While the focus remains the short-term needs of the national security and police forces to enable them to address immediate security threats, significant progress was made towards coordinating international assistance efforts and building consensus on the basis for a policy framework. UNPOS also continued to build up its dedicated security sector capacity in line with resolution 1863 (2009). The Department of Peacekeeping Operations is identifying police, military and security sector reform experts, as well as justice and corrections specialists, who could be assigned to UNPOS. In the meantime, two officers from the Standing Police Capacity were deployed to UNPOS in August to support police development activities.

Policy and coordination

57. On 25 July, Somalia's Joint Security Committee held its first meeting at AMISOM Force headquarters in Mogadishu. A second meeting was held on 12 August. The reconstituted committee includes the Transitional Federal Government of Somalia Ministers of Defence, Interior and National Security, the Army Chief of Staff, the Police Commissioner and the Head of National Intelligence. The international community is represented by UNPOS, AMISOM and other international partners, including the League of Arab States and IGAD. Under new terms of reference, the Joint Security Committee will establish working groups covering military, police and civilian security sector and other rule of law matters. Its mandate includes coordinating donor support to the security sector, policy development, and overall reorganization of Somalia's security forces. The Committee plans to eventually broaden its scope to include elements such as human rights, justice, and contributing to the establishment of the rule of law.

58. On 14 and 15 July, UNPOS, AMISOM, IGAD and the League of Arab States held a meeting with donors in Nairobi to coordinate in-kind donor pledges of training and assistance to the security forces. The meeting identified priority needs of the military, police and civil service and produced an implementation framework, including coordination mechanisms.

59. In August, UNPOS, the United States, the EU, the EC, the African Union and the Transitional Federal Government of Somalia launched a joint security sector assessment in Somalia. The security sector assessment will assess the immediate security needs of the Government and will underpin future planning for international assistance. Initial findings are expected in October 2009. The implementation of the recommendations will be undertaken jointly through the Joint Security Committee.

60. From 1 to 5 August, in consultation with the Transitional Federal Government of Somalia, UNPOS held a meeting in Washington, D.C. with former senior Somali military and police officers. Participants explored options for restructuring the Somali security and police forces in accordance with the Djibouti Agreement. They made numerous recommendations, covering issues such as the national security architecture, the challenges of extremism and piracy, and modalities for demobilization, disarmament and reintegration. Participants also called on the Government to engage former senior military, police, and non-commissioned officers in Somalia's security sector development, and encouraged the United Nations and the international community to support the efforts of the Government.

Military

61. The immediate priorities of the Transitional Federal Government of Somalia are to bring its forces and local pro-government militia into a single, unified command structure; provide impetus to the training of the Somali National Security Forces by selecting recruits who will be part of a 6,000-strong force; coordinate and help deliver training, including reintegration in Mogadishu after the training; deploy and sustain the National Security Forces; and plan for "interim" disarmament, demobilization and reintegration operations to accommodate former insurgents who have deserted from Al-Shabaab and other armed elements. These interim plans are at an early stage, and must carefully balance the need to maintain the momentum in the peace process with managing expectations that could be created as a result. The United Nations is committed to helping the Transitional Federal Government of Somalia with planning for disarmament, demobilization and reintegration options and associated programmes and planning for a future comprehensive approach to disarmament, demobilization and reintegration and weapons control in Somalia when conditions permit.

62. In the reporting period, the Transitional Federal Government of Somalia, assisted by AMISOM, began restructuring its forces under unified command. Forces are being registered for the purposes of training, the payment of stipends and the provision of basic equipment. Several donors began the delivery of initial military training, in coordination with the Joint Security Committee. Over 600 Government soldiers received basic individual training in Djibouti, under initiatives led by the Governments of France and Djibouti. Additionally, 750 Government recruits were flown by the United States to Uganda for a nine-month training programme. The Joint Security Committee is exploring training offers from several other donors, mainly from the region. Other challenges include the need for the Government to equip its troops, provide uniforms, training allowances and harmonize the content and duration of training.

Police

63. Training and development of the Somali Police Force continues in all three regions of Somalia. Under the UNDP Rule of Law and Security Programme, 600 Somali Police Force recruits are receiving basic training at the Armo Police Academy in "Puntland", delivered by 80 Somali trainers. In collaboration with AMISOM, the basic training curriculum has been revised and includes modules on human rights, gender, HIV/AIDS, community-based policing, child protection and sexual and gender-based violence. During the reporting period, 55 station commanders from the "Puntland" police were also trained. In "Somaliland", the rehabilitation of the Mandera Police Academy was completed with UNDP support.

64. The Transitional Federal Government of Somalia and the international community are planning the training of 1,000 new recruits at the Somali National Police academy in Mogadishu in October, subject to security conditions. In preparation, the United Nations began re-equipping Somali Police Force personnel with uniforms and refurbishing training facilities. AMISOM continued to assess alternative training facilities in neighbouring countries, in case they are required. Police officers trained outside the UNDP programme will receive three weeks of additional training by AMISOM to qualify for UNDP stipends. The Joint Security Committee police technical working group will coordinate the process.

65. The United Nations and AMISOM are working with the Transitional Federal Government of Somalia to develop accountability mechanisms for the Somali Police Force. National and international stakeholders agreed on selection criteria and screening procedures, as well as the requirement for equitable representation across clans and communities. UNDP also facilitated training for a new Professional Standards Unit of the Somali Police Force. Meanwhile, Police Advisory Committees in Mogadishu facilitated refresher training for senior officers on human rights and the treatment of detainees.

66. The United Nations initiated efforts to respond to the problem of organized crime, which poses a threat to peace in Somalia and regional stability. Following an assessment visit to Somalia, the United Nations Organization on Drugs and Crime agreed on arrangements to deliver capacity-building for the Somali police through the existing UNDP Rule of Law and Security Programme, and initiated an assessment of additional capacity needs in "Puntland" and "Somaliland".

Justice and corrections

67. UNPOS and the United Nations country team are working to harmonize their respective approaches and ensure coherence and synergy in the delivery of justice and corrections reform activities. The key concern is to develop specific programmes and projects that promote the rule of law while impacting positively on the lives of the Somali people. To this end, an expert team will arrive in Nairobi in November to assist UNPOS and the United Nations country team in formulating a road map for progress in promoting the rule of law within a three-year time frame.

68. Insecurity hampered programmatic activity in the justice and corrections sector. However, United Nations partners continued to work with police and corrections services and to provide legal aid services to vulnerable groups. The Coalition of Grassroots Women's Organizations delivered separate training sessions to 80 Somali Police Force officers and 40 custodial corps officers at Mogadishu

Central Prison, covering human rights and justice issues, including pretrial detention, criminal investigation, legal assistance and representation, detention and the treatment of prisoners. They also held a meeting for 75 lawyers, parliamentarians and Islamic scholars in Mogadishu on legal aid, access to justice for vulnerable groups, and the possible integration of secular and sharia law in Somalia.

E. Humanitarian efforts, recovery and development

69. Despite restricted access and narrowing humanitarian space, the United Nations and its partners continued to provide assistance to people in need. Since April, the United Nations has delivered a monthly average of 35,600 metric tons of food aid to over two million Somalis affected by drought and conflict. From April to date, over 163,500 metric tons of assorted food commodities to Somalia were successfully delivered. Following the establishment of 100 new feeding sites to support recovery of malnourished children, selective feeding programme sites are serving about 82,000 malnourished children every month. Some 27,000 non-food item kits were distributed in and around Mogadishu to the newly displaced since the beginning of May. The United Nations Humanitarian Air Service continued to provide vital safe and secure air services throughout Somalia, transporting on average over 1,330 aid workers and 16 metric tons of equipment from United Nations agencies and NGOs every month.

70. On 15 August, the United Nations successfully conducted a mission into the Afgooye corridor, home to an estimated 500,000 internally displaced persons (IDPs). The mission, the first to Afgooye in over a year, held talks with armed groups to agree on security arrangements and communication links for future technical and programmatic missions. On 7 September, a humanitarian mission was successfully conducted into Mogadishu for a rapid assessment of the situation in the IDP settlements and the services provided through two major hospitals. Security protocols are being established and additional humanitarian missions will hopefully follow in the near future.

71. In central southern Somalia and "Puntland", 776,000 children under the age of five and 644,000 women of childbearing age received an essential package of health services, including measles and polio immunization, by June 2009, with the exception of Benadir and Lower Shabelle regions and Kismayo district, owing to security constraints. With NGO partners and local authorities, more than one million children under five and 800,000 women of childbearing age have been reached nationwide this year. Between January and June, water was delivered to over 423,000 people affected by drought or forced displacement, mainly in south and central Somalia.

72. By the end of the school year in May and June 2009, 11,077 school age children (including 4,597 girls) were accessing emergency schools in Mogadishu. In the Afgooye corridor, 33,027 children, including 18,044 girls, were able to attend tented and other emergency schools through the end of the school year. Together, this reflects a 100 per cent increase in student enrolment at Mogadishu and Afgooye emergency schools since the end of 2008.

73. Across the country, the United Nations continued to provide capacity-building of civil servants and local government, developing appropriate policies, and

legislative frameworks for public administration at local and central levels, and establishing effective systems for public financial management, including budgeting, accounting and auditing, as well as providing physical infrastructure and operational support. Owing to intensified conflict in southern and central Somalia, activities planned in district councils under the district-based peacebuilding process, including in Mogadishu, could not continue. In "Somaliland" and "Puntland", the United Nations refocused its interventions on the quality of service delivery on six target districts in "Somaliland" and four in "Puntland". In September, integrated, participatory district planning and budgeting processes will begin in the first group of target districts to prepare for the implementation of investment projects in 2010.

IV. Observations/recommendations

74. In recent months, the Transitional Federal Government has successfully weathered threats to its existence from extremist forces and garnered substantial domestic and international support. While there remain many challenges, there has been some encouraging progress towards the political and security objectives identified in my April report, namely fostering national reconciliation and sustaining dialogue between the Transitional Federal Government of Somalia and the opposition groups; building capacity for local governance; drafting the constitution; integrating human rights into various aspects of the peace process; and building a national security apparatus. I urge the Transitional Federal Government of Somalia to stay the course, and I appeal to the international community to redouble its support and rally solidly behind the Government.

75. The United Nations stands firmly by the African Union and AMISOM and pledges to continue its support of AMISOM deployment and operations. The United Nations will not be deterred by violent attacks by insurgents and will remain committed to continuing support to AMISOM, the Transitional Federal Government of Somalia and the Somali people to facilitate reconciliation and consolidate the political process. As demonstrated by the 17 September suicide attack on AMISOM headquarters in Mogadishu, stabilizing the security situation in Mogadishu remains a critical prerequisite to foster the peace process. A more secure environment would also further facilitate the delivery of humanitarian assistance. In this respect, I reiterate my call to the international community to further strengthen support to AMISOM and the Government security forces. I was particularly shocked to learn of the 17 September attacks in Mogadishu, in which AMISOM forces — Burundian and Ugandan — Government and civilian personnel suffered major casualties.

76. I wish to express my sincere condolences to the families of those who lost their lives in the attack on the AMISOM headquarters. I also wish to express my sympathy for those who were wounded in that attack. The death and injury of soldiers working to secure peace in Somalia, and of citizens caught in the crossfire, is extremely sad news.

77. Further progress to promote the peace process requires greater capacity on the part of the Transitional Federal Government of Somalia to consolidate its authority, deliver administration and basic services and effectively manage the transition. The sustained support of the international community will constitute a key contribution to this end. The continued implementation of the Djibouti Agreement is essential. In this regard, I welcome the unwavering commitment of President Sheikh Sharif

Ahmed and his Government towards an inclusive administration in Somalia and, once again, urge those opposition groups that remain outside the Djibouti peace process to join the reconciliation process for the good of the country. I also urge those States, organizations and individuals in a position to do so to prevail on all the Somalia groups still outside the peace process to lay down their arms and join the political dialogue and the reconciliation process.

78. I pay tribute to AMISOM, which continues to play a vital role in a very difficult and often hazardous environment. In the face of the recent upsurge in attacks, AMISOM has played a critical role in repelling the insurgents and continues to protect vital installations in Mogadishu. I reiterate my earlier call on the international community to expedite the disbursement of all outstanding pledges in support of AMISOM. The African Union should vigorously pursue the deployment of additional troops to bring the capacity of AMISOM to its authorized strength and to establish the strategic governance mechanism to enable the expenditure of funds already disbursed.

79. I welcome the generous contributions of regional States and the broader international community to support development of the Somali police and security forces. To be effective, such efforts must be well coordinated and anchored in a sustainable nationally owned framework. I encourage all donors to cooperate closely with the Joint Security Committee, to harmonize their interventions, and to support the development of the Joint Security Committee as a policy forum able to foster the development of the national security strategy called for in Security Council resolution 1872 (2009).

80. As the international community makes progress in supporting AMISOM and the development of Somali security forces, there is a need for concurrent capacity-building of the various relevant organs of the Transitional Federal Institutions, including legal, judicial and correctional institutions, parliament and the civil service. I encourage the Transitional Federal Government of Somalia to take determined steps to expand and consolidate its authority, restore law and order and deliver basic services to the population.

81. I am deeply concerned by the worsening humanitarian crisis in Somalia. Assassinations, abductions and threats against humanitarian personnel have rendered the delivery of assistance extremely dangerous, while ongoing fighting and drought are increasing the need for life-saving humanitarian aid. I pay tribute to humanitarian workers who are operating in an extremely dangerous environment, and I condemn the recent attacks against them and the looting of their compounds, leading to the loss of essential life-saving equipment. The reports of human rights abuses and indiscriminate shelling of civilian areas are deeply worrying in this regard. I urge all parties to the conflict to comply with international human rights and humanitarian law and to protect the civilian population, including humanitarian workers. I call upon all parties to help create conditions conducive to safe, timely and unhindered humanitarian access and to cooperate with humanitarian actors to this end.

82. The lack of adequate funding for priority humanitarian and recovery programmes is also a matter of concern. Once again, I urge Member States to support the consolidated appeals process and the United Nations Transition Plan for Somalia. It is necessary to avoid disruption of critical activities, including the delivery of essential food supplies, on which the civilian population depends.

Failure to do so could have serious implications for displacement and consequences for regional stability.

83. I am equally concerned at the continued criminal activities, including drug trafficking and arms smuggling, resulting in some individuals accumulating significant wealth and acting as spoilers to the peace process. This is unacceptable, and I call on the international community to find ways to address illegal activities that threaten peace in Somalia and the wider region.

84. The United Nations will continue to pursue the incremental approach set out in my April report, including supporting the political process, supporting AMISOM, rebuilding Somalia's security institutions, and intensified engagement with "Somaliland" and "Puntland". International United Nations staff will continue to conduct missions to Mogadishu to monitor the implementation of mandated activities. Preparations for the shift to the second, "light footprint", phase have already begun. However, in view of the present conditions on the ground, United Nations security arrangements are being reviewed and enhanced. The Department for Peacekeeping Operations, in consultation with the African Union, will further develop and refine existing contingency plans that will allow, security permitting and if the Security Council so decides, for the eventual transition from AMISOM to a United Nations peacekeeping operation in Somalia.

85. Finally, I wish to express my deep appreciation to my Special Representative for his continued dedication and commitment to the advancement of peace and national reconciliation among the people of Somalia. I also wish to recognize the tireless work of the staff of UNPOS, UNSOA and the United Nations country team, as well as all other organizations and their staff, who operate under challenging conditions in the country. I call on the Somalis and Member States to continue rendering my Special Representative their unwavering support and cooperation.

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Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (for the period from 21 January to 23 September 2009)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1867 (2009), by which the Council extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 26 February 2010. It covers major developments in Timor-Leste and the implementation of the Mission's mandate since my report of 4 February 2009 (S/2009/72).

2. As at 31 August 2009, UNMIT consisted of a civilian component comprising 363 international staff (127 women); 888 national staff (170 women); 1,560 police officers (61 women); and 33 military liaison and staff officers (one woman). The United Nations country team consisted of 260 international staff (110 women) and 481 national staff (121 women). My Special Representative, Atul Khare, continued to lead the Mission and to coordinate with United Nations system actors and other stakeholders. He was assisted by Finn Reske-Nielsen, Deputy Special Representative for Governance Support, Development and Humanitarian Coordination, and by Takahisa Kawakami, Deputy Special Representative for Security Sector Support and Rule of Law. UNMIT continued its "one United Nations system" approach, having developed an integrated strategic framework and achieved further progress through the undertaking of joint integrated efforts with the United Nations country team across all mandated areas.

II. Political and security developments since January 2009

3. The reporting period was marked by an important historical milestone, with the celebration on 30 August of the tenth anniversary of the popular consultation. Many dignitaries and international guests attended festivities organized by the Government and the Office of the President. Ian Martin, my former Special Representative and head of the United Nations Mission in East Timor (UNAMET), participated on my behalf.

4. The security situation remained calm during the reporting period, with substantial progress made in addressing the situation of internally displaced persons, a major public reminder of the 2006 crisis. As at 22 August, all 65 camps for

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internally displaced persons in Dili and Baucau had officially been closed without significant incident (see S/2009/72, paras. 45 and 46 below). About 3,000 internally displaced persons remained in transitional shelters as at 31 August, although the Government had announced that all shelters would close in September. Post-return monitoring reports point to a number of potentially destabilizing recovery issues, particularly concerning housing conditions and land and property. On 13 July, trial proceedings commenced against Gastão Salsinha, an associate of the late Military Police Commander of the Falintil-Forças de Defesa de Timor-Leste (F-FDTL), and 27 co-defendants accused of involvement in the 11 February 2008 attacks on the President, José Ramos-Horta, and the Prime Minister, Kay Rala Xanana Gusmão (see S/2008/501, paras. 3-6 and 16). Reintegration of the F-FDTL "petitioners" (see S/2009/72, para. 3) into civilian life proceeded smoothly.

5. Progress in addressing the challenges resulting from the 2006 crisis enabled State institutions to further intensify their efforts to strengthen democratic institutions and processes. The resumption of primary policing responsibilities by the national police, the Polícia Nacional de Timor-Leste, through a gradual, phased approach based on criteria mutually agreed between the Government and UNMIT began on 14 May in Lautém District (see para. 20 below). On 10 June, the Council of Ministers approved an important package of draft security sector legislation that was then submitted to the Parliamentary Committee on Foreign Affairs, Defence and National Security for review (see para. 25 below).

6. On 8 July, President Ramos-Horta promulgated the Law on Community Authorities and their Election (referring to village chiefs and councils) after receiving the opinion of the Court of Appeal, the highest court in the absence of a Supreme Court, that the law was constitutional. Subsequently, the National Electoral Commission set 9 October 2009 as the election date. UNMIT is providing support for the organization of the elections (see para. 13 below), which will be technically more challenging than the national elections of 2007, given that each of the 442 villages will have a unique ballot.

7. The Parliament adopted important legislation aimed at enhancing democratic governance, including for the establishment of anti-corruption and civil service commissions (see para. 12 below), and the Government deposited instruments of ratification of the United Nations Convention against Corruption (see para. 36 below) and of four core conventions of the International Labour Organization (ILO) (see para. 44 below). On 14 July, Parliament adopted its first gender-related budget resolution with cross-party support. The resolution urged the Government to establish a coordination mechanism to ensure that budgetary allocations are made to meet the needs of both women and men as well as girls and boys. On 30 July, a delegation from Timor-Leste, led by the Secretary of State for the Promotion of Equality, participated in its first constructive dialogue with the Committee on the Elimination of Discrimination against Women in New York.

A. Support for dialogue and reconciliation

8. The celebratory activities on and around 30 August further demonstrated the international community's continued support for Timor-Leste and its efforts to overcome the 2006 crisis and 2008 attacks. That support was also evident at such events as the second international women's conference for peace, on the theme

"Women as creative agents for peace building", held in Dili on 5 and 6 March, which brought together about 350 participants from 28 countries to discuss issues relating to women's experiences in peacebuilding. The Prime Minister gave the opening speech at the conference, which was organized by civil society with support from the Government of Norway, the United Nations Development Fund for Women (UNIFEM) and UNMIT.

9. My Special Representative encouraged consultative and democratic decision-making processes involving a broad range of stakeholders. He continued his weekly meetings with the President; the Prime Minister; the President of Parliament, Fernando "Lasama" de Araújo; and the Secretary-General of the Frente Revolucionária do Timor-Leste Independente (Fretilin), Mari Alkatiri. During the period under review, two meetings of the High-level Coordination Committee and seven meetings of the Trilateral Coordination Forum were held (see S/2008/501, para. 9), as well as seven meetings with representatives of all political parties (including those without parliamentary representation). Two of the latter meetings were with women party representatives, an initiative that began during the present reporting period and will continue on a trimestral basis. My Deputy Special Representative for Governance Support, Development and Humanitarian Coordination initiated monthly meetings in April with the recently appointed Deputy Prime Minister for the Coordination of Affairs Related to the Administration of the State, Mário Carrascalão, to discuss accountability and transparency initiatives, and continued weekly meetings with the Deputy Prime Minister, José Luís Guterres, to discuss governance and humanitarian issues, while my Deputy Special Representative for Security Sector Support and Rule of Law continued regular meetings with the Secretaries of State for Security and for Defence to discuss such issues as the resumption of primary policing responsibilities by the national police and F-FDTL development.

10. All political parties continued to demonstrate respect for State institutions. On 24 June, Fretilin issued a press release calling on all parties to abide by the Court of Appeal decision that a decree-law establishing a national petroleum authority was constitutional, after having petitioned the Court for a review of its constitutionality. Fretilin also continued to play an important role in Parliament. However, the party continued to publicly deny the legitimacy of the Alliance for a Parliamentary Majority (AMP) Government (see S/2007/513, para. 4) and to call for elections before the end of the term of the current Parliament, in 2012. In a speech to Parliament on 17 March, President Ramos-Horta made an appeal to strengthen political debate and to turn it into a tool for consensus-building and for uniting the country around the challenges it faced.

11. Dialogue and reconciliation efforts also continued at the local level. Government dialogue teams, established with the support of the United Nations Development Programme (UNDP) (see S/2009/72, para. 9), successfully facilitated 45 preparatory meetings, building up to 16 community dialogue meetings as at 31 August. The teams also supported mediations in 392 cases, 231 of which were resolved. Those efforts focused primarily on issues related to the reintegration of internally displaced persons.

B. Enhancing democratic governance

12. The implementation of the administrative reforms announced by Prime Minister Gusmão in May 2008 (see S/2008/501, para. 13) continued, including progress in the development of relevant legislative frameworks. Mário Carrascalão was sworn in on 22 January in the new position of Deputy Prime Minister for the Coordination of Affairs Related to the Administration of the State, with responsibility for monitoring administrative reform initiatives. On 29 April, the Council of Ministers approved a decree-law allowing the Office of the Inspector General to perform internal audit functions. On 22 May and 29 June, Parliament approved laws establishing anti-corruption and civil service commissions, respectively. The Government appointed three of the five civil service commissioners on 12 August; Parliament will select the other two. UNMIT provided technical advice to the Government during the drafting and consultation processes for those laws. The United Nations Capital Development Fund and UNDP continued to advise the Government on decentralization policy. Parliament approved the Law on Territorial and Administrative Division on 10 June and also considered draft laws on local government and municipal elections, which involved intensive public consultations throughout the country. In collaboration with Redefeto, an umbrella civil society organization of women's groups, and the East Timor non-governmental organizations Forum, UNIFEM supported consultations between the Timor-Leste Women Parliamentarians' Caucus and women's organizations and leaders to review the draft laws on decentralization and local government and for the election of community leaders.

13. As requested by the Security Council in its resolution 1867 (2009) of 26 February 2009, UNMIT extended support for the preparation of local (village) elections, to be held on 9 October, including the deployment of 62 United Nations Volunteers. UNMIT and UNDP staff, in an integrated manner, are supporting electoral management bodies through the provision of technical advice on legislation, operations and logistics planning. On 27 August, the six-day nomination period concluded, with the registration of 1,168 village council candidate lists totalling close to 27,000 candidates, according to the Technical Secretariat for Electoral Administration. UNIFEM and the United Nations Democracy Fund supported Redefeto in the training of 195 district facilitators (including 97 women) on transformative leadership and politics who, in turn, were involved in the training of more than 300 women who are potential candidates for the village elections.

14. UNMIT, in collaboration with national stakeholders, organized six democratic governance forums (see S/2009/72, para. 10) aimed at providing citizens an opportunity to interact directly with their leaders on major governance issues. The President, the President of Parliament, the Prime Minister, the President of the Court of Appeal, the Provedor for Human Rights and Justice, and the Secretary-General of Fretilin participated. UNMIT continued its capacity-building activities in the media sector, in particular with national radio and television personnel. UNMIT also provided support for public information campaigns relating to important events such as the anniversary of the 5 May Agreement of 1999, the tenth anniversary of the popular consultation and the upcoming village elections.

C. Maintenance of public security

15. There was no change in the UNMIT police strength during the present reporting period, with 1,560 officers (61 women) as at 31 August. Of those, 918 officers (including 138 in the Malaysian formed police unit, 140 in the Portuguese formed police unit, and 37 in the Pakistani formed police unit) were deployed in Dili and 642 to other districts, including 139 in the Bangladeshi formed police unit (99 in Baucau and 40 in Viqueque) and 103 in the Pakistani formed police unit (79 in Bobonaro and 24 in Ermera). They continued to perform the mandated task of interim law enforcement and undertook efforts to support training, institutional development and the strengthening of the national police. There is a continuing need to increase the number of women officers in the UNMIT police (which, at 4 per cent remains low), while women constitute 20 per cent of the national police force.

16. The security situation remained generally calm, owing in part to proactive policing strategies and the UNMIT leadership's active engagement with key political stakeholders. Those strategies included the provision of training by the UNMIT police to the national police in the area of community-based policing, supported by the Governments of Australia and of New Zealand. The UNMIT police and the national police also successfully implemented operational plans for special events such as the popular consultation anniversary celebrations. On average, 97 incidents of all types were reported each week (the majority of them were assaults), compared with 118 in the previous reporting period. Incidents involving serious crimes remained at an average of two per week, with no major public disturbances or spikes in violence. Incidents of assault and domestic assault constituted 40 per cent of all reported crime in Timor-Leste, highlighting the need for continued efforts to address sexual and gender-based violence, which continues to be a major public security concern. The resumption of primary policing responsibilities by the national police force in three districts and at the Police Training Centre did not result in any increased crime or disorder. Close cooperation with the international security forces continued.

17. The establishment of clear command and control arrangements between security institutions in border areas remains crucial. On 16 July, the Government authorized the creation of a committee for the coordination of border operations to tackle this and other border security challenges. UNMIT military liaison officers continued to facilitate effective working relationships between the border security agencies of Timor-Leste and Indonesia and to play an information-gathering role throughout Timor-Leste. At the request of the Government, they conducted mentoring workshops on 20 and 21 April as well as 15 and 16 July for F-FDTL liaison officers deployed to the border districts of Bobonaro and Covalima. The Government expressed appreciation for the workshops, which were also reviewed by a visiting technical team from the Security Sector Reform Unit and the Office of Military Affairs of the Department of Peacekeeping Operations.

18. An incident of concern occurred on 7 June, when a fight broke out between youth gangs at a market in Bobonaro District. UNMIT police and national police officers were first on the scene, but F-FDTL officers arrived subsequently and became involved in attempting to stop the fight, impeding the efforts of UNMIT police in a district where they still had primary policing responsibilities. To prevent a recurrence of such incidents, UNMIT and the Government established an informal

district consultation mechanism involving UNMIT police and military liaison officers, the national police, F-FDTL and local administration officials. In another incident, which occurred in Dili on 27 June, an UNMIT formed police unit responded to an incident at a restaurant, and, after its arrival, an off-duty national police officer discharged a firearm. The officer was suspended, and appropriate internal disciplinary and criminal investigations are ongoing. The manner of the unit's involvement is also the subject of an internal UNMIT investigation, which has been prioritized so as to address any sensitivities arising from this case.

D. Support for and institutional strengthening of the security institutions

19. Continued efforts have led to further progress in the registration, screening and certification programme for the national police, in accordance with the "Policing Arrangement" (see S/2008/501, para. 15), with 2,897 officers (557 women), or 92 per cent of the service, fully certified as at 31 August. The remaining 259 officers (18 women) face pending criminal and/or disciplinary proceedings. Of those, 64 require adjudication by the Timorese-led Evaluation Panel, with the remaining 195 at other stages of investigatory and inquiry processes. Difficulties with the Evaluation Panel persisted during the reporting period, as it convened only in early September owing to delays in the approval of its budget and uncertainties regarding the status of the Government-appointed Chairman of the Panel (see S/2009/72, para. 20). From 15 to 30 July, the Government reopened registration for unregistered officers, of whom 53 (nine women) then registered. Furthermore, as at 31 August, 71 national police officers (12 women) were still unregistered; 63 (11 women) of them were still on the payroll list. The Government began to take measures against those officers not certified as a result of pending criminal investigations or alleged human rights abuses, including the dismissal of one officer who had also failed to register. As action against uncertified officers within a particular district or unit is a prerequisite for the resumption by the national police of primary policing responsibilities, UNMIT has encouraged the Government to take appropriate measures in all outstanding cases.

20. The resumption of primary policing responsibilities by the national police began on 14 May with Lautém District, followed by Oecussi District on 30 June, Manatuto District on 25 July and the Police Training Centre on 11 September. Prior to the start of this phase of police reconstitution, on 13 May Prime Minister Gusmão and my Special Representative concluded an agreement, in the form of an exchange of letters, which set forth the specific roles and responsibilities of the UNMIT police and the national police after the latter resumes primary policing responsibilities in a district or unit (see S/2009/72, para. 22). The agreement reiterates the mutually agreed criteria for resumption: (a) the ability of the national police to respond appropriately to the security environment in a given district; (b) the final certification of at least 80 per cent of eligible officers in a given district or unit to resume primary policing responsibility; (c) the availability of initial operational logistical requirements; and (d) institutional stability, which includes, inter alia, the ability to exercise command and control, and community acceptance. The agreement also provides for the establishment of a joint technical team consisting of civilian and police representatives from the Government and UNMIT to determine the readiness of the districts and units on the basis of those criteria. In districts and units

where the national police resume primary policing responsibilities, UNMIT police will continue to play a crucial role in monitoring and tracking progress in the development of the institution, providing advice and support, and, in extremis, reassuming interim law enforcement, if required and requested.

21. The agreement also outlines a framework for a joint mechanism to monitor the progress of the national police in districts and units where they have resumed primary policing responsibilities in order to sustain the continual reform, restructuring and rebuilding of the force. The first monitoring reports from the three districts and one unit where resumption has taken place indicate that the national police are satisfactorily fulfilling their responsibilities and have dealt promptly with instances of disciplinary misconduct. Nevertheless, continued monitoring, in particular of the critical vulnerable persons units and the capacity of the national police to meet logistical support requirements, remains vital.

22. The Government continues to review and revise the legislative and regulatory frameworks relating to the police. A new organic law on the national police was promulgated on 10 February that would introduce significant changes in its organizational structure. Procedures for its implementation are being developed jointly by the national and the UNMIT police. The organic law is expected to strengthen the performance of the national police, in particular in terms of its chain of command, and improve the efficiency of special units by combining them into one. At the request of the Secretary of State for Security, UNMIT provided support for the implementation of decree-laws on police promotion and salaries, promulgated on 13 December 2008. The former specifies that only certified national police officers are eligible for promotion.

23. Given that the national police will have to resume primary policing responsibilities in more districts and units, demand will increase for its resources, especially in the areas of training and logistics. The ultimate success of the process of the reconstitution and development of the national police force will depend on the long-term commitment of the national police and the Government and will require the necessary budget allocations and coherent, realistic long-term planning. Continuing and coordinated long-term bilateral assistance also will be crucial in that regard.

24. Efforts to further F-FDTL development continue. On 9 May, the results of the latest recruitment were announced: 477 soldiers (44 women), 29 direct-entry sergeants (three women) and 73 direct-entry officers (no women). F-FDTL has worked with UNMIT and UNIFEM to include human rights and gender modules in its training, with an emphasis on the training of trainers.

E. Comprehensive review of the security sector

25. The Government continued to make efforts to strengthen security-sector legal frameworks. On 10 June, the Council of Ministers approved draft laws on national security, internal security and national defence, which have been submitted to the Parliament. The drafts propose an integrated approach to security and defence functions to address threats and describe cooperation and coordination mechanisms, while allowing a broader scope for F-FDTL involvement in internal security matters in certain circumstances. On 2 September, my Deputy Special Representative for Security Sector Support and Rule of Law participated in a hearing with the

Parliamentary Committee on Foreign Affairs, Defence and National Security to discuss the draft laws. In presenting observations on the draft laws, he stressed in particular the need for a clear delineation of the roles of the national police and F-FDTL and appropriate civilian oversight pursuant to the Constitution of Timor-Leste.

26. The Government intensified its efforts to further develop a national security policy. In August, the Secretariat of State for Security, in cooperation with the Office of the President and with technical assistance from UNMIT, organized eight round-table discussions focused on policy, to which representatives of State institutions, civil society, UNMIT and the United Nations country team were invited. UNMIT also started working with the Secretariat of State for Security on the drafting of a law on civil protection and with the Secretariat of State for Defence on an options paper for a national defence institution to provide research and training.

27. The board of the security sector review project (see S/2009/72, para. 24) met five times, approving funding for several capacity-building initiatives. Those include the refurbishment and repair of more than 400 radios and four district radio repeater stations and related training in equipment maintenance for the national police, F-FDTL and the National Directorate for Security to Public Buildings. An international adviser for the Parliamentary Committee on Foreign Affairs, Defence and National Security was recruited with project funding, and tender responses are being considered for a board-approved public opinion survey on security issues.

III. Promotion of human rights and administration of justice

A. Support for the monitoring, promotion and protection of human rights

28. Human rights violations by members of the security services, in particular ill-treatment and excessive use of force and intimidation, continued to be reported. During the period under review, UNMIT received allegations of 44 cases of violations by the national police and 8 cases of violations by F-FDTL. Internal accountability mechanisms remained weak, and, in most cases, the members of the security services responsible for violations were not brought to justice. On 10 February, the Court of Appeal upheld a four-year prison sentence for a national police officer who was found guilty of attempted manslaughter for shooting and injuring a civilian. On 6 May, the Baucau District Court found a former national police subdistrict commander and two civilians guilty of arson committed in 2007 (see S/2007/513, para. 20) and sentenced each to three years' imprisonment.

29. Initiatives to strengthen the Office of the Provedor for Human Rights and Justice continued through a joint project of UNDP and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Activities included training, workshops and mentoring of the Provedor's monitoring and advocacy departments. On 29 June, the Provedor submitted its annual report, as well as its report on investigations into complaints received during the 2006 crisis, to the President of Parliament. The Provedor opened sub-offices in two districts during the reporting period. UNIFEM supported the Provedor's participation in the presentation of the initial State report of Timor-Leste to the Committee on the

Elimination of Discrimination against Women on 30 July. In addition, on 15 September, UNMIT issued its third public report on human rights developments in Timor-Leste, which covered the period from 1 July 2008 to 30 June 2009 and focused on key developments in relation to accountability and the combat against impunity for past and present human rights violations.

30. Further, but limited, progress was made towards holding accountable those responsible for criminal acts and human rights violations during the 2006 crisis, as recommended by the Independent Special Commission of Inquiry (S/2009/72, para. 29). OHCHR funded an international prosecutor to work specifically on those cases. As at 31 August, final judgement had been rendered in two cases involving convictions against seven persons; five trials were under way; and 13 cases were under investigation. The trials complied with international standards and respected the rights of defendants. However, obstacles to the enforcement of sentences remained. The four F-FDTL members convicted of manslaughter and attempted manslaughter in the shooting deaths of eight national police officers in 2006 continued to be held at a military facility rather than a civilian prison, and the court-ordered restitution to the widows of the victims remains unpaid.

31. Parliament has yet to discuss the recommendations of the Commission of Truth and Friendship (see S/2009/72, para. 30) and the Commission for Reception, Truth and Reconciliation. Consequently, the victims of crimes committed between 1974 and 1999 and their families are still seeking justice and reparations. From 17 to 19 June, the Office of the President, with the support of the Special Envoy of Norway to Timor-Leste, organized a national dialogue on justice and reconciliation with political party leaders and civil society representatives that resulted in a general consensus in favour of reparations for the most vulnerable victims of the violence that occurred during the period from 1974 to 1999 and the need for a follow-up institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship. On 2 September, participants in a three-day "National Victims' Congress" organized by non-governmental organizations in Dili, with support from OHCHR, called for an international tribunal to prosecute the perpetrators of human rights abuses committed during the 1974-1999 period.

32. The investigations of the UNMIT Serious Crimes Investigation Team into cases of serious human rights violations committed in 1999 continued in 9 of 13 districts under the supervision of the Office of the Prosecutor-General. As at 31 August, the team had completed investigations into 89 of 396 outstanding cases; an additional 21 cases are currently under investigation. Serious challenges affected the pace of investigations, including difficulties in gaining access to remote areas due to road and weather conditions; the considerable travel time required as a result of the large areas of responsibility assigned to each investigation team; and requirements for additional translators and interpreters. UNMIT therefore assigned five additional interpreter positions, and will assign six UNMIT police investigators, to serious crimes investigations in October 2009, after village elections. In his speech on 30 August marking the tenth anniversary of the popular consultation, the President called on the United Nations to disband the "Serious Crimes Unit" and to direct the funds towards the strengthening of the Timorese judiciary. The efforts of the Serious Crimes Investigation Team, however, involve a resumption of only the investigative functions of the former Serious Crimes Unit. Subsequently, my Special Representative underlined to the President the importance of the investigations

mandated by the Security Council in its resolution 1704 (2006). At the same time, there is a need to strengthen the capacity of national investigators in this area.

33. On 8 August, police detained former Lakseur militia leader Martenus Bere on an outstanding warrant for crimes against humanity. Allegations against him include involvement in the Suai church massacre in Covalima District, perpetrated on 6 September 1999, in which as many as 200 people were killed, including women, children and three priests. Having taken up residence in Indonesia, he was arrested by the national police during a visit to Timor-Leste and transported to Becora prison in Dili as a pre-trial detainee. He was released on 30 August to Indonesian authorities at their embassy in Dili, reportedly as Indonesian officials awaited confirmation of the release before attending the popular consultation anniversary celebration in Timor-Leste. The release raises questions of violations of Timorese national law as well as of international standards and principles. The statement issued by my Spokesperson on 31 August reiterated the firm position of the United Nations that there can be no amnesty or impunity for serious crimes such as war crimes, crimes against humanity and genocide. The United Nations High Commissioner for Human Rights also sought urgent clarification regarding the reported release and stated publicly that she strongly opposed the release of someone for whom there is an arrest warrant of this nature.

34. The decision generated intense and broad cross-party debate in Parliament, where various Members of Parliament, including from both the opposition and the AMP governing coalition, demanded an explanation of the release. The decision has been described in different ways by Timorese authorities, Members of Parliament and civil society, ranging from a "political decision" to "political interference" in the judicial process. There were also calls for the Minister of Justice and the Prosecutor-General to address Parliament. On 9 September, the President of the Court of Appeal issued a communiqué stating that the release was not ordered by a court decision and that the Judicial Inspector would investigate the matter. On 10 September, the Prime Minister stated publicly, in a national television address, that he was responsible for the decision. On 14 September, the party bench leader of Fretilin introduced a motion of "no confidence" in Parliament, which decided on 22 September to schedule a debate on the motion on 5 and 6 October. The manner in which the case has been handled could have serious consequences for the prospects of ensuring accountability for the serious crimes which occurred in 1999.

35. UNMIT intensified its efforts to prevent and address cases of misconduct in the implementation of my bulletin on the prohibition of discrimination; harassment, including sexual harassment; and abuse of authority (ST/SGB/2008/5). To raise awareness of measures to prevent sexual exploitation and abuse, the standards of conduct expected of United Nations personnel and the reporting mechanisms available to the local population, UNMIT organized outreach activities in all districts and followed up with civil society organizations. Consultations are ongoing with the United Nations country team to strengthen an integrated approach, including for the establishment of a network for assistance to victims and protection from sexual exploitation and abuse. As at 31 August, two cases of sexual exploitation and abuse had been reported; one was found to be unsubstantiated, while the other remains under investigation by the Office of Internal Oversight Services. Increased tracking of infractions and the entry of past cases into the misconduct tracking system increased the number of cases in the database. UNMIT continued to provide awareness training to all United Nations staff as part of the

implementation of the "UN Cares" strategy, and 701 staff (118 women) had received the mandatory orientation training on HIV/AIDS as at 31 August. UNMIT also carried out a campaign promoting voluntary and confidential counselling and testing services and a more tolerant work environment through a network of 18 trained peer educators (10 women).

B. Support for capacity-building and the strengthening of the justice system

36. The Government made significant progress towards the adoption of key legislation and the development of a strategic plan for the justice sector. Parliament approved a witness protection law on 17 February, and an instrument of ratification of the United Nations Convention against Corruption was deposited by the Government on 27 March. On 8 June, the new penal code entered into force, incorporating core international criminal law and international human rights standards and making domestic violence a public crime. A separate law specifically addressing domestic violence was approved by the Council of Ministers on 19 August. The Ministry of Justice also conducted public consultations on a draft land law. UNMIT contributed to those efforts through the provision of technical assistance and recommendations on draft legislation. The enactment of the penal code notwithstanding, sexual assault and domestic violence cases, as well as many other disputes, continued to be handled mainly through traditional mechanisms. UNDP and UNMIT also assisted the Ministry in the undertaking of a consultative process on access to justice, customary law and local justice in order to elaborate guidelines for policy development and the formulation of draft legislation on "traditional justice". With UNMIT support, four consultants were selected to conduct the independent comprehensive needs assessment of the justice sector (S/2006/628, para. 88) from 3 August to 28 September. The extensive set of recommendations resulting from the assessment is meant to be considered in conjunction with the strategic plan for the justice sector that will be submitted to the Council of Coordination (comprising the President of the Court of Appeal, the Minister of Justice and the Prosecutor-General).

37. Some improvements and systemic changes were achieved in the context of the investigation and prosecution of crimes with the increased use of the formal justice system. The Office of the Prosecutor-General reported that it handled 3,120 cases from 1 January to 31 August, while the number of pending criminal cases nationwide decreased from approximately 5,400 to 5,013. This is a welcome development, in particular given the significant number of new cases received in Dili alone and the court recess during the same period (see S/2009/72, para. 34). National capacity was further strengthened with the graduation of four prosecutors from the UNDP-supported Legal Training Centre on 5 March. The justice sector also benefited from the swearing in on 18 May of two new judges and four public defenders. In the corrections area, UNDP and the United Nations Office for Project Services provided support for the ongoing rehabilitation of a prison in Manatuto District.

IV. Support for the "compact", socio-economic development, humanitarian assistance and early recovery

A. Support for the "compact" process

38. Progress was shown in meeting targets for the national priorities that constitute the international compact for Timor-Leste (see S/2008/501, para. 36). More than 60 per cent of the targets set for the first and second quarters of 2009 were met or efforts are well under way towards their completion, demonstrating the commitment of the Government and development partners to the priorities process. Working group membership was expanded to include civil society representation. Moreover, the Government designated the national priorities mechanism as the framework for aligning its 2010 budget preparations, its medium-term strategic development plan and donor support. Following the renewed expression of commitment by the Government to mainstream the Millennium Development Goals into key national development processes, the United Nations system is supporting the Government to ensure that national priority targets for 2010 are reflective of the Goals.

B. Socio-economic development

39. As estimated by the International Monetary Fund (IMF), the non-oil gross domestic product (GDP) increased by an estimated 12.8 per cent in 2008. IMF projects that real non-oil GDP will grow by 7.2 per cent in 2009 and 7.9 per cent in 2010. Since 2007, budget execution has accelerated, providing a major fiscal stimulus for economic growth. The Government injected more cash into the economy in 2008 than in previous years, including through targeted transfer payments totalling about $85 million to such groups as internally displaced persons and the elderly, which provided a significant economic stimulus. However, the achievement of a sustainable economic base will require the directing of resources for investment in the productive non-oil sectors of the economy in order to reduce poverty, improve livelihoods and create job opportunities.

40. The 2009 Timor-Leste Development Partners Meeting was held from 2 to 4 April. The international community (represented by UNMIT, the World Bank, the United Nations country team and 45 bilateral and multilateral delegations) reaffirmed its willingness to align programmes with the Government's development strategies, in line with the principles of the Paris Declaration on Aid Effectiveness. Civil society and private-sector representatives also attended. During the meeting held on 3 April, the Prime Minister launched the 2009 Millennium Development Goals report on Timor-Leste, which highlights the fact that further steps are required for the country to achieve the Goals. As the report indicates that in 2007 half of the population lived on less than $0.88 per day, it is critical that the Government continue its efforts to strengthen programmes to achieve the Millennium Development goal of eradicating extreme poverty and hunger.

41. In endeavouring to achieve the Millennium Development Goals, the Government is taking measures to further improve basic education, health and nutrition, and child protection. It conducted a month-long nationwide multi-antigen campaign in June for 194,000 children and 237,000 women, approximately 40 per cent of the total population, to accelerate the achievement of the Goals related to

child survival and maternal health. Timor-Leste has also conducted a nutrition landscape analysis as recommended by the United Nations Standing Committee on Nutrition — the only country in Asia to do so. Five trainings on basic emergency obstetric care, supported by the United Nations Population Fund (UNFPA), were conducted for 60 midwives and six physicians. The Timor-Leste National Commission for the United Nations Educational, Scientific and Cultural Organization was launched on 23 April; it will work with governmental and non-governmental bodies in areas such as education, science and communication.

42. The Government made efforts to enhance rural development through improvements in food production. In line with Government policies, the Food and Agriculture Organization of the United Nations (FAO) distributed high-quality maize and rice seeds and fertilizer to 30,000 food-insecure farming households. In addition, FAO produced and distributed metallic silos to more than 3,000 rural households with the aim of reducing post-harvest losses, which amount to approximately 30 per cent under traditional storage methods. As a result of the combined effect of those and other Government investments in the agriculture sector, as well as favourable climatic conditions, the maize and rice harvests for 2009 are expected to be 15 per cent higher than in 2008. However, further efforts are required to implement the Government's policy of increasing purchases of domestically produced crops, particularly in the light of such factors as the importation of rice for subsidized sale, delays in Government payments to local suppliers and lack of effective information to farmers about the policy.

43. The implementation of a three-year Millennium Development Goal Achievement Fund Joint Programme focusing on gender-based violence, with $4.9 million in funding, began in 2009. The implementing partners — UNIFEM, UNDP, the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF) and UNFPA — are supporting Government counterparts in the development of a national public-information campaign on human trafficking and a long-term media and advocacy strategy. The project also supported capacity-building sessions with the national police vulnerable persons and community police units on rules and operational procedures for the investigation of child abuse and gender-based violence. On 29 May, the Government, with UNICEF support, launched its first-ever social mobilization strategy for child protection. It offers a comprehensive approach to raising community awareness with respect to all forms of violence, abuse and exploitation against children and to strengthening the child-protection system. On 22 September, the Government also established the National Commission for the Rights of the Child. In July, the Millennium Development Goal Achievement Fund approved a three-year joint programme for the promotion of sustainable food and nutrition security with a $3.5 million budget, which will be implemented by UNICEF, the World Health Organization (WHO), the World Food Programme, and FAO, in collaboration with the relevant national counterparts.

44. According to ILO estimates, the existing labour force in Timor-Leste exceeds 300,000. The Government reported that it created 47,500 jobs in 2008 through direct and indirect wage generation and expects to generate 45,000 jobs in 2009. The private sector remained small, with 40,000 people, most of them self-employed. With ILO technical assistance, 6,247 people (29 per cent women) were employed through programmes implemented by the Secretariat of State for Vocational Training and Employment, which created a total of 183,563 workdays of employment. The United Nations Industrial Development Organization continued to support a centre

that provides opportunities for vulnerable groups through the sale of bamboo-based products to enable sustainable livelihoods. On 16 June, the instruments of ratification of four ILO core conventions were deposited in Geneva (Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; and Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour). The Asian Development Bank assisted the Government in the development of an updated master plan for roads and supported the rehabilitation of four crucial roads.

45. On 25 August, Parliament ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer, allowing for the universal ratification of both treaties.

C. Humanitarian assistance and support for early recovery

46. All 65 camps for internally displaced persons have officially closed, and 14,000 families had benefited from recovery packages as at 31 August. With the exception of 420 families residing in transitional shelters as at 31 August, most internally displaced persons have returned or resettled without any major security incidents. That remarkable progress is the result of concerted efforts by the Government and humanitarian partners. On 11 September, the Ministry of Social Solidarity announced that transitional shelters would close in September. However, given that a survey conducted by the Norwegian Refugee Council indicated that 58 per cent of the 420 families residing in transitional shelters did not own a house prior to the 2006 crisis, the resolution of such cases will likely require additional time and a more targeted approach.

47. Continued attention to the post-return phase is essential so as to ensure that recovery issues such as livelihood and income-generating opportunities and access to water and basic services are duly addressed, as they are potentially destabilizing factors identified in communities of return. Post-return assistance has been provided to returning internally displaced persons and receiving community members through small infrastructure projects. Ongoing UNDP and IOM projects are intended to build social cohesion and prevent renewed conflict by engaging communities in areas of return in planning projects that are of common benefit to both receiving communities and returning internally displaced persons. Additional resources for the reintegration of such persons were secured through the Peacebuilding Fund emergency window.

48. On 31 March, 11 clusters were formed by the United Nations system in partnership with the Government of Timor-Leste, reflecting the global humanitarian structure. As part of the 2005 global humanitarian reform pillars, "cluster leads" were designed as a mechanism to help identify and address gaps in humanitarian response and enhance the quality of humanitarian action, with clusters constituting a partnership between the Government, non-governmental organizations, international organizations, the International Red Cross and Red Crescent Movement and United Nations agencies. The 11 clusters focused on early recovery activities and assisting the Government in natural-disaster preparedness, emergency response and contingency planning. UNDP and IOM provided technical support for Government

counterparts in the area of disaster management. The Government, with WFP support, established a multi-agency food security assessment system to help improve disaster preparedness and response. WFP also continued to provide food assistance to the country's most food-insecure and vulnerable groups, such as pregnant and lactating women and children under 5 years of age through the Mother and Child Health Nutrition Programme (53,000 beneficiaries); schoolchildren through the School Feeding Programme (212,000 beneficiaries); food-insecure communities through Food For Work/Asset Programme (19,000 beneficiaries); returning internally displaced persons (30,000 beneficiaries); and relief to those affected by natural disasters (10,000 beneficiaries). The Government, with WHO support, intensified case surveillance and the stockpiling of drugs in response to the influenza A (H1N1) pandemic.

V. Medium-term strategy

49. Continued incremental progress has been achieved towards the priority benchmarks developed to cover the four mandated priority areas of UNMIT: review and reform of the security sector; strengthening of the rule of law; promotion of a culture of democratic governance and dialogue; and economic and social development (see S/2009/72, para. 47, and annex). UNMIT and the United Nations country team developed an integrated strategic framework that outlines goals and activities in support of the realization of the benchmarks. As regards the first priority benchmark, relating to the strengthening of security sector institutions, various laws and regulations have been promulgated, including on police promotion, salaries and service structures (see para. 22 above). Other laws approved by the Council of Ministers are under consideration by Parliament, such as the draft national security, internal security and national defence laws. The resumption of primary policing responsibilities by the national police also indicated progress in the sector (see para. 20 above).

50. Regarding the second priority benchmark, relating to outstanding investigations and enhancing the functioning of the judiciary, some progress was achieved on serious crimes investigations and on the implementation of the recommendations of the Special Commission of Inquiry (see para. 30 above). An independent, comprehensive needs assessment of the justice sector is under way. Once completed, the review and implementation of its recommendations, in liaison with the Timorese authorities and in conjunction with the strategic plan for the justice sector (see para. 36 above), will provide further momentum towards reaching this benchmark. With respect to the third priority benchmark, on adherence to the values and principles of sustainable democratic governance through respect for Constitutional rights and guarantees for all citizens and to ethical standards, the Government has sought at various levels to ensure strict ethical standards (see para. 12 above) and to enhance respect for the rule of law (see paras. 36 and 37 above). The fourth priority benchmark refers to improved quality of life and increased employment opportunities, especially focusing on rural areas and young people and the sustainable return and reintegration of internally displaced persons. The Government, with the support of UNMIT and the United Nations country team, made concerted efforts to improve basic social services and livelihoods (e.g., in the areas of education, health and nutrition, child protection), reduce poverty and create additional employment opportunities (see paras. 38, and 41-44 above). A national

youth employment action plan and national employment strategy were also completed, and efforts are ongoing to ensure durable solutions for internally displaced persons.

51. Many other efforts have been made by the Government, UNMIT and other partners to achieve the benchmarks. For example, within the security sector, new F-FDTL recruitment began, and UNMIT is facilitating discussions between the Secretary of State for Defence and bilateral partners for further development of F-FDTL. The Ministry of Defence and Security is recruiting 12 civil servants for procurement and asset management. On 7 July, Parliament approved amendments to the law on liberation combatants, making more veterans eligible for pension payments. Regarding the judiciary, the rule of law and human rights, a bimonthly informal donor forum was established with the diplomatic community for policy discussion on assistance to the justice sector, in particular with a view to addressing gaps and overlaps. The new criminal code came into effect, and the courts made efforts to improve the number of decisions taken in civil cases to avoid an increase in the number of those pending. A review of the requirements for a case-management system for the justice sector is under way in an effort to establish more efficient caseload administration.

VI. Financial aspects

52. The General Assembly, by its resolution 63/292, appropriated the amount of $205.9 million for the maintenance of UNMIT for the period from 1 July 2009 to 30 June 2010. As at 31 August 2009, unpaid assessed contributions to the special account for UNMIT amounted to $77.7 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $3,741.3 million. As at 30 June 2009, amounts owed to formed police contributors to UNMIT totalled $7.4 million. Reimbursement of formed police units costs and payments for equipment owned by formed police units have been made for periods up to 30 November 2008 and 30 September 2008, respectively, in accordance with the quarterly payment schedule.

VII. Observations

53. The leaders and people of Timor-Leste were able to celebrate the tenth anniversary of the popular consultation in an atmosphere of continuing safety and stability. That is due, in no small part to the determined commitment of the people and the State institutions of Timor-Leste to taking the measures necessary for continued progress. UNMIT and the United Nations country team, together with other partners, have provided critical support to those efforts. However, progress and stability remain fragile. While the process of the return and resettlement of internally displaced persons, a visible residual challenge from the 2006 crisis, has been by all measures successful, tensions in some communities remain and could lead to future local-level conflicts. The closure of transitional shelters also presents challenges, especially given the special vulnerabilities of the families living there, and much will depend on the Government's integrated efforts to ensure durable solutions. In addition, many of the underlying factors contributing to the 2006 crisis remain, despite the important steps carried out to address some of them, inter alia,

poverty (which has increased) and unemployment, lack of an effective land and property regime and still-developing institutions, including in the justice and security sectors. While it is encouraging that the national police has begun resumption of primary policing responsibilities and the security environment continues to be stable, much remains to be done to fully develop and strengthen the security institutions of Timor-Leste. More time is required to ensure that the various efforts aimed at tackling the many political, institutional and socio-economic challenges facing the young nation of Timor-Leste are allowed to take root in democratic institutions and processes.

54. The efforts of President Ramos-Horta to promote continued dialogue across the political spectrum and among all segments of society — including women and men alike — to address priority issues facing the country are commendable. My Special Representative will continue his good-offices efforts to promote constructive political dialogue and facilitate unity of effort among all political actors on important national issues. Public statements by and the actions of various political actors demonstrating respect for the rule of law and the institutions of State, as well as the ability of the governing AMP coalition and the opposition to jointly support some legislation in Parliament, have been encouraging. While the exchange of differing opinions is an integral element of multiparty democracy, such discourse should be constructively conducted and not exploited to heighten tensions in society. I encourage the Government and Parliament to continue broad consultation efforts, such as those undertaken regarding the draft laws on land and local government.

55. Renewed political dialogue — involving political parties as well as broader civil society — on issues such as the provision of reparations to victims, justice and reconciliation, and implementation of the recommendations of the reports of the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship, is promising. However, victims and their families are still seeking justice and reparations for criminal acts committed from 1974 to 1999. The recommendations of the two Commissions have not yet been discussed in Parliament. The prolonged delay in delivering justice and providing reparations may further adversely affect public confidence in the rule of law. I therefore encourage the Government of Timor-Leste to make every effort to ensure broad-based discussions and follow-up on the recommendations, consistent with the needs and expectations of the Timorese people. It is also my hope that the Governments of both Timor-Leste and Indonesia will ensure that Martenus Bere is brought to justice, taking into account the report of the Commission of Experts appointed in 2005 (see S/2005/458).

56. Long-term security and stability will depend on the capacity of the security institutions to function in an accountable and effective manner, with due respect for the rule of law and human rights. The provisions contained in the package of draft legislation currently being considered by Parliament which are aimed at upholding human rights, the rule of law and civilian oversight are commendable. However, defining a meaningful role for F-FDTL in a peacetime setting, clarifying its relationship with the national police and establishing accountability mechanisms and civilian oversight will be among the main challenges for the Government in seeking consensus on and implementing such legislation. As my Deputy Special Representative of the Secretary-General for Security Sector Support and Rule of Law has shared with various Timorese interlocutors, the draft legislation's proposed

mechanisms for parliamentary oversight could be strengthened and provisions dealing with crisis situations must clearly articulate the different roles and responsibilities of F-FDTL and the national police, in conformity with the Constitution of Timor-Leste. Given the importance of promoting awareness among the general public on the key issues raised by the draft security legislation, it is encouraging that the Parliamentary Committee on Foreign Affairs, Defence and National Security is planning to hold public hearings in Baucau, Oecussi and Maliana.

57. Timor-Leste and UNMIT are currently at the beginning of a delicate process, as the national police force begins to reassume primary policing responsibilities. The steady and deliberate pace of the resumption of primary policing responsibilities by the national police force reflects the serious consideration given to the criteria developed jointly by UNMIT and the Timorese authorities. This approach, which is not bound by a pre-determined, artificial timeline, is necessary for the sustainable and long-term development of the institution as well as to avoid a recurrence of the systematic failures that affected the police service in 2006. Continued monitoring by UNMIT police in those districts and units that resume responsibilities will be critical to ensuring the implementation of policies and procedures; assessing institutional capabilities to deal with disciplinary and human rights violations; and identifying further measures needed for strengthening the development of the national police, as well as trends. In conjunction with this monitoring role, there is a need to maintain the capability of UNMIT police to assume, in extremis, interim law enforcement, if requested and required. I commend the Government's efforts to date, in keeping with its responsibilities under the certification process, to remove officers deemed unsuitable for police service. Its continued efforts to remove such officers are critical to the credibility and integrity of the national police.

58. Despite the progress made in the resumption of primary policing responsibilities by the national police, much more needs to be done. I thus believe that the present strength and composition of UNMIT should be maintained. This includes the UNMIT formed police units, especially given that the national police special units are undergoing the organizational reforms required under the new national police organic law. Any possible adjustments in the numbers of UNMIT police should be carried out in a gradual, step-by-step manner that helps maintain public confidence in the current stable security situation. Timor-Leste is making continuous efforts to strengthen dialogue with a group of key bilateral partners on public security issues. Their coordinated efforts to support the Government and the national police could significantly enhance the prospect of long-term stability. Furthermore, as my Special Representative informed the Security Council on 19 February 2009, a technical assessment mission will visit Timor-Leste late in October to develop medium-term recommendations for the configuration of UNMIT, including the police component. The recommendations of the assessment mission will be valuable for formulating my proposals for possible adjustments in the mandate, composition and strength of UNMIT, which will be contained in my next report, due on 1 February 2010.

59. Weaknesses in the judiciary continue to affect public confidence in the entire rule-of-law system, including in the national police. Despite some progress, the prosecution service is still facing serious challenges owing in part to limited specialized prosecutorial capacity and the lack of an overall functioning

administrative system. The recommendations of the independent comprehensive needs assessment should be utilized as a contribution to a coordinated and considered approach to justice sector reform and also facilitate the identification and provision of the assistance that is most needed from the international community.

60. The efforts being made to ensure the responsible management of State resources are also commendable. The Petroleum Fund is the major source of income for Timor-Leste and should continue to be managed to ensure predictable returns in the long term. Strengthened fiscal prudence must, at the same time, facilitate a well-balanced public investment programme, focusing on employment generation and the expansion of the non-oil economy as vital to human development and economic growth. However, such efforts ultimately depend on the political will of the Government and State institutions, with the support of civil society, to instil and nurture a culture of accountable and transparent governance.

61. The people of Timor-Leste have repeatedly demonstrated the resolve necessary to build a democratic, peaceful and stable society. However, seven years after the restoration of independence, much remains to be done in Timor-Leste, which requires continued support from the international community. State institutions still require international support in many areas, in particular to meet challenges relating to security and stability; the rule of law, justice and human rights; democratic governance and dialogue; and socio-economic development. The UNMIT integrated "one United Nations system" approach again proved its effectiveness and efficiency in helping provide such support in those priority areas.

62. In conclusion, I wish to thank my Special Representative, Atul Khare, for his leadership and congratulate all the men and women of UNMIT and the United Nations country team for their dedication and determined efforts, in continued close partnership with the Timorese people, to advance the cause of peace and stability in Timor-Leste.

United Nations S/2009/505

Security Council

Distr.: General
25 September 2009

Original: English

Note verbale dated 24 September 2009 from the Permanent Mission of Canada to the United Nations addressed to the President of the Security Council

The Permanent Mission of Canada to the United Nations presents its compliments to the President of the Security Council, and has the honour to forward the enclosed Canadian written statement to the Security Council summit on nuclear non-proliferation and nuclear disarmament, held at the United Nations on 24 September 2009 (see annex). We request that the present note and its annex be circulated as a document of the Security Council.

09-54286 (E) 071009

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Annex to the note verbale dated 24 September 2009 from the Permanent Mission of Canada to the United Nations addressed to the President of the Security Council

[Original: English and French]

Canadian Statement

United Nations Security Council Summit on Nuclear Non-Proliferation and Nuclear Disarmament

24 September 2009

Canada welcomes the opportunity to provide a written statement for this special session of the United Nations Security Council. This is only the fifth occasion of a Council meeting at the level of heads of government/heads of state. Canada extends its appreciation to the Security Council and the President of the United States for taking the initiative to convene this Summit. The stature of the participants and their active commitment to address the challenges facing the nuclear non-proliferation and nuclear disarmament regime underline the international consensus on the gravity of these issues.

Draft resolution S/2009/473 is an important step in setting the course for the critical meetings that will follow, notably the Nuclear Security Summit in April 2010 and the Review Conference on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in May 2010. In particular, Canada commends the central place that the resolution accords the NPT. We affirm the necessity of a constructive and balanced review of each of the three pillars. Canada is committed to enhancing the effectiveness of the NPT, including by addressing state withdrawals without delay, the urgency of which is noted in the draft resolution. To this end, Canada has tabled a working paper entitled "Strengthening the Review Process of the Treaty on the Non-Proliferation of Nuclear Weapons" (NPT/CONF.2010/PC.III/WP.8) and hopes this will serve as the basis for future progress.

Canada also welcomes the resolution's reflection of the renewed impetus for disarmament. Canada is a long-standing proponent of a world free of nuclear weapons, but we recognize that the path to achieve this goal will not be easy. Nonetheless, there are important signs of progress, including agreement on a Program of Work in the Conference on Disarmament, which Canada hopes will ultimately lead to the negotiation of a Fissile Material Cut-off Treaty. Canada also advocates additional ratifications of the Comprehensive Nuclear-Test-Ban Treaty, especially by the nine remaining states listed in the Treaty's Annex 2 whose ratifications are required to achieve entry into force.

With regard to non-proliferation, Canada recognizes the resolution's references to the implementation of United Nations Security Council resolution 1540 (2004). A key aspect of this resolution is the opportunity to provide assistance to states which may lack capacity so that they can meet the broad and complex obligations of the resolution. In the context of the comprehensive review of Security

Council resolution 1540, which will open later this month, Canada highlights the importance of discussing a full range of options for funding mechanisms to ensure full implementation.

Canada strongly supports the resolution's language on the Nuclear Security Summit and the need to prevent nuclear terrorism. In this regard, Canada is committed to working on the critical issue of nuclear security including promoting concrete outcomes at the Nuclear Security Summit in Washington, D.C., in April 2010. Canada believes that the Summit will provide an opportunity to strengthen international consensus concerning the need for effective, timely, and comprehensive international responses to prevent nuclear terrorism through improved physical security of nuclear materials and enhanced efforts to detect and deter illicit nuclear trafficking. The Summit will also provide an ideal opportunity to build upon existing collaborative efforts to prevent nuclear terrorism, such as the G8 Global Partnership and Security Council resolution 1540.

Canada will continue to contribute actively to the progress of each of the NPT pillars, through the Nuclear Security Summit, the Review Conference and other forums. As the G8 President in 2010, we look forward to strengthening collaboration between that group and the United Nations on shared international peace and security goals.

United Nations S/2009/506

Security Council

Distr.: General
5 October 2009

Original: English

Note by the President of the Security Council

After consultations among the members of the Security Council, it was agreed to elect the Chairmen of the following subsidiary bodies for the period ending 31 December 2009:

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Mr. Ranko Vilović (Croatia)

France, the Russian Federation and Viet Nam will continue to serve as Vice-Chairmen for the said period.

Working Group established pursuant to resolution 1566 (2004)

Mr. Ranko Vilović (Croatia)

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United Nations A/64/473–S/2009/507

General Assembly
Security Council

Distr.: General
6 October 2009

Original: English

General Assembly
Sixty-fourth session
Agenda items 15, 16 and 32

Security Council
Sixty-fourth year

The situation in the Middle East

Question of Palestine

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Letter dated 29 September 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I have the honour, in my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, to enclose herewith the statement issued by the Coordinating Bureau of the Non-Aligned Movement on the situation in the Occupied Palestinian Territory, including East Jerusalem, following the attacks by the Israeli settlers and the Israeli occupying forces at Al-Aqsa Mosque and the Al-Haram Al-Sharif compound (see annex).

I kindly request that the present letter and its annex be circulated as a document of the General Assembly, under agenda items 15, 16 and 32, and of the Security Council.

(*Signed*) Maged **Abdelaziz**
Ambassador and Permanent Representative

09-54399 (E) 061009

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Annex to the letter dated 29 September 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

Statement by the Coordinating Bureau of the Non-Aligned Movement on the Situation in the Occupied Palestinian Territory, including East Jerusalem*

The Members of the Non-Aligned Movement (NAM) express their serious concern about the situation in the Occupied Palestinian Territory, including East Jerusalem, as a result of continuing illegal actions by Israel, the occupying Power. In particular, NAM expresses grave concern about the ongoing illegal Israeli settlement colonization campaign being carried out in the Occupied Palestinian Territory, with shocking intensity in and around Occupied East Jerusalem, and the inhumane, unlawful Israeli blockade that continues to be imposed on the Palestinian civilian population in the Gaza Strip and the resultant dire humanitarian crisis.

NAM expresses alarm at recent attacks carried out by the occupying forces, including extremist settlers, against Palestinian worshippers at Al-Haram Al-Sharif compound in Occupied East Jerusalem. NAM condemns Israel's continuing provocations, aggression and illegal actions against the City's holy sites and against its Palestinian inhabitants.

NAM reiterates its condemnation of all illegal Israeli actions and provocative measures aimed at altering the demographic composition, geographic nature, character and status of Occupied East Jerusalem and the rest of the Occupied Palestinian Territory. NAM expresses grave concern that, in defiance of the clear international consensus rejecting such colonization activities and in flagrant breach of international law, Israel continues to construct settlements and the Wall in the Occupied Palestinian Territory, especially in and around East Jerusalem, where the occupying Power also continues, inter alia, to demolish Palestinian homes, to evict Palestinian families from their homes, to confiscate Palestinian land and properties and to carry out excavations in the City, including in the vicinity of Al-Haram Al-Sharif compound.

NAM reiterates its demand for the immediate cessation of all Israeli violations of international law, including humanitarian and human rights law, including an end to its illegal blockade on the Gaza Strip and all settlement activities, which are deepening the suffering of the Palestinian people and undermining the prospects for peace. NAM calls upon the international community, particularly the Security Council, to uphold its responsibilities and to take the necessary action to compel Israel, the occupying Power, to comply with all of its legal obligations, including under the Fourth Geneva Convention, and with its commitments under the Quartet Road Map.

NAM calls for a redoubling of efforts aimed at the achievement of a just, lasting and comprehensive peace on the basis of the relevant United Nations resolutions, the Madrid terms of reference, the Arab Peace Initiative and the Road Map. In this regard, NAM reaffirms its unwavering support for the realization by the Palestinian people of their inalienable rights, including their right to self-

* Also circulated under the symbol A/ES-10/463.

determination, with the establishment of their contiguous, viable and independent State of Palestine, with East Jerusalem as its capital, and a just solution for the plight of the Palestine refugees on the basis of General Assembly resolution 194 (III).

New York, 29 September 2009